



U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS


ENTERED

TAWANA C. MARSHALL, CLERK

THE DATE OF ENTRY IS
ON THE COURT'S DOCKET

The following constitutes the ruling of the court and has the force and effect therein described.

Signed May 21, 2014


United States Bankruptcy Judge

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

In re:

MtGox Co., Ltd. (a/k/a MtGox KK),

Debtor in a Foreign Proceeding.

Chapter 15

Case No. 14-31229-sgj-15

**ORDER GRANTING APPROVAL OF AMENDED
RECOGNITION HEARING NOTICE PROCEDURES**

Upon the Foreign Representative's *Motion to Approve Amendment to Notice Procedures with Respect to Recognition Hearing* [Docket No. 123] (the "Motion"),¹ seeking approval of the time and manner for the service of the Recognition Hearing Notice pursuant to sections 105(a) and 1514 of title 11 of the United States Code (the "Bankruptcy Code"), and Rules 2002, 9006, 9007 and 9008 of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules"); and the Court having determined that the relief requested in the Motion is in the best interests of the Debtor, its estate, its creditors, and other parties in interest; and it appearing that proper and adequate notice of the Motion has been given and that no other or further notice is necessary; and

¹ Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Motion.

upon the record herein; and after due deliberation thereon; and good and sufficient cause appearing therefore, it is hereby

ORDERED, ADJUDGED AND DECREED that:

1. The Motion is **GRANTED**.
2. The Prior Adjournment Orders are superseded by the terms of this Order and the Scheduling Order.
3. The form of revised Recognition Hearing Notice, attached hereto as **Exhibit A** is hereby approved.
4. The Foreign Representative shall serve the Recognition Hearing Notice upon the Notice Parties that are known to the Foreign Representative as of the date hereof on or before May 23, 2014 via United States First Class Mail and/or via email (at their last known mailing address or email address, if for whom the Foreign Representative has such addresses).
5. The form of abbreviated version of the Recognition Hearing Notice attached hereto as **Exhibit B** (the "**Publication Notice**") is hereby approved.
6. The Foreign Representative shall cause the Publication Notice to be published on the Debtor's website, <https://www.mtgox.com>, and on <http://www.reddit.com> on or before May 23, 2014.
7. If any party files a notice of appearance in this case, the Foreign Representative shall serve the Recognition Hearing Notice upon such party by the later of (a) twenty-three (23) days prior to the Recognition Hearing; or (b) three (3) business days following the filing of such notice of appearance, unless such party or its counsel has otherwise already been served with the Recognition Hearing Notice.

8. Service pursuant to this Order shall be good and sufficient service and adequate notice of the Recognition Hearing.

9. Any objections or responses to the amended Recognition Petition shall be filed with the Court and served upon the Notice Parties so as to be received on or before **4:00 p.m. (prevailing Central Time) on June 6, 2014.**

10. If any objections or responses are timely filed and served, the Foreign Representative may file with the Court, and if filed shall serve upon the Notice Parties, a reply to such objections or responses so as to be received on or before **4:00 p.m. (prevailing Central Time) on June 13, 2014.**

END OF ORDER

Prepared and Submitted by:

GARDERE WYNNE SEWELL LLP

/s/ Marcus A. Helt

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- and -

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*Counsel for Nobuaki Kobayashi, in his capacity
as the Bankruptcy Trustee and Foreign
Representative of MtGox Co., Ltd., a/k/a MtGox KK*

EXHIBIT A:

Revised Form of Recognition Hearing Notice

David J. Molton (*admitted pro hac vice*)
Daniel J. Saval (*admitted pro hac vice*)
Brown Rudnick LLP
Seven Times Square
New York, New York 10036
Telephone: (212) 209-4800
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*Counsel for Nobuaki Kobayashi, in his capacity
as the Bankruptcy Trustee and Foreign Representative
of MtGox Co., Ltd., a/k/a MtGox KK*

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

In re:

MtGox Co., Ltd. (a/k/a MtGox KK),

Debtor in a Foreign Proceeding.

Chapter 15

Case No. 14-31229-sgj-15

NOTICE OF RECOGNITION HEARING

PLEASE TAKE NOTICE that a hearing (the “Recognition Hearing”) on the *Amended Verified Petition for Recognition and Chapter 15 Relief* [Docket No. •] (the “Amended Recognition Petition”) filed by Nobuaki Kobayashi, in his capacity as the bankruptcy trustee and foreign representative (the “Foreign Representative”) of MtGox Co., Ltd., a/k/a MtGox KK (the

“Debtor”), seeking recognition of the Debtor’s bankruptcy proceeding, pending before the Twentieth Civil Division of the Tokyo District Court, Japan, as a foreign main proceeding pursuant to Chapter 15 of the United States Bankruptcy Code and other related relief under Chapter 15, has been scheduled for **June 17, 2014 at 9:30 a.m. (prevailing Central Time)**, and will take place before the **Honorable Stacey G.C. Jernigan, at the United States Bankruptcy Court, Northern District of Texas, 14th Floor, 1100 Commerce Street, Dallas, Texas 75252.**

PLEASE TAKE FURTHER NOTICE that responses or objections, if any, to the Amended Recognition Petition shall be filed with this Court and served by mail or email upon: (i) the United States lead counsel to the Foreign Representative at Brown Rudnick LLP, Seven Times Square, 47th Floor, New York, NY 10036 (attn: David J. Molton, dmolton@brownrudnick.com and Daniel J. Saval, dsaval@brownrudnick.com); (ii) the United States local counsel to the Foreign Representative at Gardere Wynne Sewell LLP, 1601 Elm Street, Suite 3000, Dallas, TX 75201-3000 (attn: Marcus A. Helt, mhelt@gardere.com and Thomas Scannell, tscannell@gardere.com); (iii) counsel to the United States Trustee at Lisa.L.Lambert@usdoj.gov; (iv) counsel to plaintiffs in the Chicago putative class action or “Greene” action at Haynes and Boone, LLP, 2323 Victory Avenue, Suite 700, Dallas, TX 75219 (attn: Robin E. Phelan, robin.phelan@haynesboone.com and Stephen Manz, stephen.manz@haynesboone.com), Honigman Miller Schwartz and Cohn LLP, 2290 First National Building, 660 Woodward Avenue, Detroit, MI 48226 (attn: Scott B. Kitei, skitei@honigman.com), and Edelson P.C., 350 North LaSalle Street, Suite 1300, Chicago, IL 60654 (attn: Jay Edelson, jedelson@edelson.com and Steven L. Woodrow, swoodrow@edelson.com); and (v) counsel to CoinLab, Inc. at Morrison & Foerster LLP, 425 Market Street, San Francisco, CA 94105 (attn: Larry Engel, lengel@mofo.com and Vincent J.

Novak, vnovak@mofo.com) so as to be received on or before **4:00 p.m. (prevailing Central Time) on June 6, 2014.**

PLEASE TAKE FURTHER NOTICE that copies of the Amended Recognition Petition and accompanying papers are available to parties-in-interest on the Bankruptcy Court's Electronic Case Filing System, which can be accessed at this website: <http://www.txnb.uscourts.gov/> (a PACER login and password are required to retrieve a document), or upon written notice, by mail or email, to the United States counsel to the Foreign Representative at the contact information above.

Dated: _____, 2014
Dallas, Texas

Respectfully submitted,

GARDERE WYNNE SEWELL LLP

/s/ Marcus A. Helt
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Thomas Scannell (TX 24070559)
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*Counsel for Nobuaki Kobayashi, in his capacity
as the Bankruptcy Trustee and Foreign
Representative of MtGox Co., Ltd., a/k/a MtGox KK*

EXHIBIT B:

Revised Publication Notice

NOTICE OF RECOGNITION HEARING

In re MtGox Co., Ltd. (a/k/a MtGox KK), Case no. 14-31229-sgj-15
United States Bankruptcy Court for the Northern District of Texas, Dallas Division

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